IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 9955 of 1995

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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HAJI IBRAHIM BHARUCHA CO-OP HOUSING SOC.LTD - Petitioner(s)

Versus

STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :

NOTICE SERVED for Petitioner(s) : 1,MR KASHYAP R JOSHI for Petitioner(s) : 1,
Shri Prachchak, AGP for Respondent(s) : 1 - 3.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 29/11/2005

ORAL JUDGMENT

In this petition under Article 226 of the Constitution of India, the petitioner has prayed for to quash and set aside the Circular at Annexure 'B' issued by respondent No.2 dated 17.8.1990 by which some conditions were imposed which required to be

followed before putting up any construction near the Jail.

2. Shri Kashyap R. Joshi, learned advocate appearing on behalf of the petitioner has submitted that during the pendency of the present Special Civil Application in consultation with the Jail authorities permission was granted whereby petitioner was allowed to put up the construction and therefore the cause will not survive. The present Special Civil Application is disposed in view of the subsequent developments after filing of the petition. The petition is disposed of accordingly. Rule is discharged. Liberty to apply in case of difficulty.

[M.R. Shah, J.]

RMR.